

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL OWEN GARDNER,  
Plaintiff,  
v.  
CDCR, et al.,  
Defendants.

No. 1:24-cv-00933-JLT-SAB (PC)

ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED

(ECF No. 8)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On September 11, 2024, the Court screened Plaintiff's complaint, found no cognizable claims, and granted Plaintiff one final opportunity to file an amended complaint, if he believed he could do so in good faith. (ECF No. 8.) Plaintiff has failed to file an amended complaint and the time to do so has passed. Accordingly, Plaintiff shall be ordered to show cause why the action should not be dismissed for failure to prosecute, failure to comply with a court order, and failure to state a cognizable claim for relief.

Accordingly, it is HEREBY ORDERED that:

1. Within **fourteen (14)** days from the date of service of this order Plaintiff shall show cause why the action should not be dismissed; and

- 1           2.       Failure to comply with this order will result in a recommendation to dismiss this  
2                   action for failure to prosecute, failure to comply with a court order, and failure to  
3                   state a cognizable claim for relief.

4  
5 IT IS SO ORDERED.

6 Dated: **October 22, 2024**

  
UNITED STATES MAGISTRATE JUDGE